



# TRANSMITTAL FORM

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Total Number of Pages in This Submission

5

Application Number

10783,164

Filing Date

February 20, 2004

First Named Inventor

Hofmann, Gunter

Art Unit

3763

Examiner Name

Mendez, Manuel A.

Attorney Docket Number

GTI-1590-UT3

## ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/  
Incomplete Application



Reply to Missing Parts  
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a  
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC



Appeal Communication to Board  
of Appeals and Interferences



Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify  
below):

\* Transmittal (1 page)

\* IDS (1) (2 pages)

\* Form SB08 (1 page)

\* Return post card (1 item)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Bio-technology Law Group

Signature

*Daniel M. Chambers*

Printed name

Daniel M. Chambers

Date

19 Oct '06

Reg. No.

34,561

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Daniel M. Chambers*

Typed or printed name

Daniel M. Chambers

Date

14 Oct '06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Hoffman et al.	Examiner:	Mendez, Manuel A.
Serial No.:	10/783,164	Group Art Unit:	3763
Filed:	February 20, 2004	Docket:	GTI-1590-UT3
Title:	Electrode Apparatus and Method for the Delivery of Drugs and Genes Into Tissue		

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**INFORMATION DISCLOSURE STATEMENT (1)**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam,

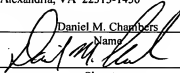
In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed material is brought to the attention of the Examiner for consideration in connection with the above-identified patent application.

Applicant respectfully requests that the enclosed Information Disclosure Statement be entered, and the document listed on the attached Form SB08A be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the SB08A form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

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**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8:**

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Daniel M. Chambers  
  
\_\_\_\_\_  
Signature

10 Oct '06  
\_\_\_\_\_  
Date

Also, Applicant respectfully requests that the Information Disclosure Statement filed in patent application USSN 09/847,468, filed 05/02/2001 (now Patent No. 6,748,265, issued 06/08/2004), also be incorporated and considered as part of the present application. The Information Disclosure Statement in USSN 09/847,468 was filed as follows: Information Disclosure Statement filed 3/19/2003. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in USSN 09/847,468.

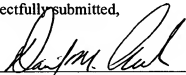
The listed document is being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first office action on the merits.

If any fees are due, please contact the undersigned attorney at (858) 350-9690.

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

Date 14 Oct '06  
BioTechnology Law Group  
527 N. Highway 101, Suite E  
Solana Beach, CA 92075-1173  
Telephone: (858) 350-9690  
Fax: (858) 350-9691  
Email: dan@biotechnologylawgroup.com

By   
Daniel M. Chambers  
Reg. No. 34,561

Substitute for form 1449A/PTO  
**INFORMATION DISCLOSURE  
 STATEMENT & AFFIDAVIT**  
 (Use as many sheets as necessary)

OCT 17 2006

PATENT &amp; TRADEMARK OFFICE

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PTO/SB/08-03

Approved for use through 07/31/2008. OMB 0591-0021  
 US Patent & Trademark Office U.S. DEPARTMENT OF COMMERCE

Complete if Known

Application Number	10/783,164
Filing Date	February 20, 2004
First Named Inventor	Hoffman, Gunter
Group Art Unit	3763
Examiner Name	Mendez, Manuel A.

Attorney Docket No: GTI-1590-UT3

Sheet 1 of 1

**US PATENT DOCUMENTS**

Examiner Initials*	Cite No.	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1.	6,192,270	20 Feb 2001	Hoffman et al	
	A2.	6,009,345	28 Dec 1999	Hofmann	
	A3.	5,944,685	31 Aug 1999	Muroki	
	A4.	5,869,326	09 Feb 1999	Hofmann	
	A5.	5,711,761	27 Jan 1998	Unterreker et al	
	A6.	5,704,908	06 Jan 1998	Hofmann et al	
	A7.	5,667,487	16 Sep 1997	Henley	
	A8.	5,618,265	08 Apr 1998	Myers	
	A9.	5,582,586	10 Dec 1996	Tachibana et al	
	A10.	5,380,272	10 Jan 1995	Gross	
	A11.	5,318,514	07 Jun 1994	Hofmann	
	A12.	5,053,001	01 Oct 1991	Reller et al	
	A13.	4,950,229	21 Aug 1990	Sage, Jr.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
	A14.	WO 97/04832	13 Feb 1997	Mass Institute Of Technology		
	A15.	WO 96/00111	04 Jan 1996	Mass Institute Of Technology		
	A16.	WO 95/26781	12 Oct 1995	Genetronics, Inc.		
	A17.	EP 0 547 482 A1	Jun 1993	Haynes et al		
	A18.	EP 0 337 642 A2	18 Oct 1989	S Funding Corp Ltd.		

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

EXAMINER

/Manuel Mendez/

DATE CONSIDERED

04/27/2008

Substitute Disclosure Statement Form (PTO-1449)  
 \* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. † Applicant's unique citation designation number (optional) ‡ Applicant is to place a check mark here if English language Translation is attached

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./